


**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: January 11, 2010

SUBJECT: Fiscal Impact Statement: "District of Columbia Safe Release of Inmates Amendment Act of 2009"

REFERENCE: Bill 18-424, Draft Committee Print Shared with OCFO on December 21, 2009

Conclusion

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend an Act to Create a Department of Corrections in the District of Columbia¹ to provide procedures that must be followed in order to release an inmate from the Central Detention Facility between the prohibited hours of 10 p.m. and 7 a.m., if exigent circumstances require such a release. These procedures include verifying that the inmate has housing; utilizing the Department of Correction's (DOC) inmate transportation unit to transport the individual to the identified housing and verifying that the transportation unit is available; providing the inmate with clothing; obtaining verification from the jail's healthcare provider that the inmate has a 7-day supply of all prescription medications; having provided the inmate with release counseling within the preceding 7 days; providing the inmate with the option to remain in custody until 7 a.m.; and requiring the warden to certify that all requirements have been met.

¹ Approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)).

Financial Plan Impact

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the provisions of the proposed legislation. At this time, it is not possible to reliably estimate the number of inmates that would be released during the prohibited hours, but given that such releases are only to occur under exigent circumstances, it is assumed that the number would be small. Since the costs associated with the procedures for this limited number of releases would be minimal and mostly administrative, the Department of Corrections could absorb them within their current budget. However, if a significant number of prisoners were released during the prohibited hours as a result of this legislation, this could create a spending pressure for DOC.